

State of Kansas  
Department of Health and Environment

Public Notice Concerning Kansas / Federal  
Water Pollution Control Permits and Applications

State of Kansas  
Department of Health and Environment  
Division of Environment-Bureau of Water  
1000 SW Jackson St., Suite 420  
Topeka, Kansas 66612-1367  
Telephone: (785) 296-6432 - Ag Permits  
(785) 296-5517 - All Others

Public Notice No. KS-AG-17-271/281  
KS-AG-R-17-025  
KS-Q-17-168/171  
KS-NQ-17-022/024  
KS-EG-17-005  
Beginning Date: November 23, 2017  
Comments Due: December 23, 2017

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 17, 28-18a-1 through 33, 28-16-150 through 154, 28-46-7, and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation, and reissuance of the designated permit or termination of the designated permit.

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**Public Notice No. KS-AG-17-271/273**

**Application(s) for New or Expansion of Existing Swine Facilities**

**Name and Address of Applicant**

**N. Terry Nelson  
1304 W. Fox Rd.  
Long Island, KS 67647**

**Owner of Property Where Facility Will Be Located**

**Stillwater Swine (Nelson Farms, Inc.)  
7755 Rd E13  
Almena, KS 67622**

**Legal Description**

**SW/4 of Section 12  
T02S, R21W  
Norton County**

**Receiving Water**

**Upper Republican River Basin**

**Kansas Permit No.: A-URNT-H010**

**Federal Permit No.: KS0101281**

This is notification KDHE has received a complete permit application for the operation of a swine waste management facility capable of housing 9,300 head (3,720 animal units) of swine weighing more than 55 pounds each. The complete application can be viewed at the office of the Norton County Clerk, the KDHE District Office in Hays, Kansas or the KDHE Main Office in Topeka, KS. A permit to operate the proposed swine waste management system will not be issued without additional public notice.

Clarke & Julia Nelson  
1304 W. Fox Road  
Long Island, KS 67647

Rolling Hills Pork (C & J Swine, LLC)  
7543 Rd E13  
Almena, KS 67622

SW/4 of Section 12  
T02S, R21W  
Norton County

Upper Republican River Basin

Kansas Permit No.: A-URNT-H011

Federal Permit No.: KS0101290

This is notification KDHE has received a complete permit application for the operation of a swine waste management facility capable of housing 9,300 head (3,720 animal units) of swine weighing more than 55 pounds each. The complete application can be viewed at the office of the Norton County Clerk, the KDHE District Office in Hays, Kansas or the KDHE Main Office in Topeka, KS. A permit to operate the proposed swine waste management system will not be issued without additional public notice.

Jerry Cox  
1206 Highway 383  
Long Island, KS 67647

Jubilee Pork, Inc.  
1206 Highway 383  
Long Island, KS 67647

E/2 of Section 27  
T01S, R20W  
Phillips County

Upper Republican River Basin

Kansas Permit No.: A-URPL-H005

Federal Permit No.: KS0094269

This is an application for a permit modification of an existing swine facility with the proposed maximum capacity of 2,861 head (1,144.4 animal units) of swine weighing greater than 55 pounds and 2,950 head (295 animal units) of swine weighing 55 pounds or less for a total of 5,811 head (1,439.4 animal units) of swine. The complete application can be viewed at the office of the Phillips County Clerk, the KDHE District Office in Hays, Kansas or the KDHE Main Office in Topeka, KS. A new or modified permit will not be issued without additional public notice.

Public Notice No. KS-AG-17-274/281

Pending Permits for Confined Feeding Facilities

**Name And Address of Applicant**

Jennifer Gerety  
J-Six Farms – East Farm Truck Wash  
604 Nemaha Street  
P.O. Box 170  
Seneca, KS 66434

**Legal Description**

SE/4 of Section 30  
T02S, R16E  
Brown County

**Receiving Water**

Missouri River Basin

Kansas Permit No.: A-MOBR-T001

This is a permit modification and re-issuance for a private truck washing facility for livestock transport vehicles. The facility consists of a truck washing building, a truck bake building, a truck service center, a woodchip storage structure, and a 2-cell earthen retention structure. The facility washes an average of 25 to 30 trailers/trucks per week. Modifications include enlarging the east cell of the retention structure and adding a grass buffer to control the waste from the woodchip storage structure.

Laurens Schelderink  
Spandet Dairy, LLC dba Spandet Dairy KS  
6306 Road 20  
Cimarron, KS 67835

SW/4 of Section 29 &  
SE/4 of Section 30 &  
E/2 of Section 31 &  
NW/4 of Section 32  
T24S, R27W  
Gray County

Upper Arkansas River  
Basin

Kansas Permit No.: A-UAGY-D002

Federal Permit No.: KS0091120

This permit is being re-issued for a confined animal feeding operation for 9,600 head (13,440 animal units) of mature dairy cattle, 3,500 head (3,500 animal units) of cattle weighing more than 700 pounds, and 1,560 head (780 animal units) of cattle weighing less than 700 pounds. There is no change in the permitted animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Chad and Sarah Ruda  
Mid America Truck Wash, LLC  
P.O. Box 6  
Hooper, NE 68031

SE/4 of Section 31  
T26S, R24W  
Ford County

Upper Arkansas River  
Basin

Kansas Permit No.: A-UAFO-T001

This is a re-issued permit for an existing facility for wash out of livestock transportation trailers for a maximum of 350 trailers per week. Proposed modifications to the facility include a high density polyethylene lined anaerobic waste retention lagoon and a solid waste drying/stacking area. All liquid waste will be discharged to the City of Dodge City sanitary sewer system. All solid waste will be exported.

Craig Maloney  
Seaboard Foods  
Cook Farm #1, #200 and Truck Wash  
2801 Hurliman Road  
Guymon, OK 73942

NW/4, SE/4 & NE/4 of Section 09  
T27S, R43W  
Stanton County

Cimarron River Basin

Kansas Permit No.: A-CIST-H001

Federal Permit No.: KS0091278

This is a renewal permit for an existing facility for 10,592 head (4,236.8 animal units) of swine weighing more than 55 pounds and 4,918 head (491.8 animal units) of swine weighing 55 pounds or less; for a total of 4,728.6 animal units of swine. There has been no change in animal numbers from the last permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Aidan Daly  
Celtic, LLC  
38 Dairy Circle  
Tribune, KS 67879

SE/4 of Section 03  
T16S, R40W  
Greeley County

Smoky Hill River Basin

Kansas Permit No.: A-SHGL-D001

Federal Permit No.: KS0095303

This is a renewal permit for an existing facility for 3,000 head (4,200 animal units) of mature dairy cows and 50 head (25 animal units) of dairy calves; for a total of 4,225 animal units of cattle. There has been no change in animal numbers from the last permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Gerry Frager  
Frager Farms – South Farm  
2779 King Road  
Morrowville, KS 66958

NE/4 of Section 14  
T01S, R02E  
Washington County

Big Blue River Basin

Kansas Permit No.: A-BBWS-B017

This is a renewal permit for an existing facility for 999 head (999 animal units) of cattle weighing more than 700 pounds. This represents a reduction in head numbers from 2,000 head (2,000 animal units) of cattle weighing more than 700 pounds. Facility is downsizing to a State Permit.

Keith and Donna Olson  
278 South 1000 Road  
Alta Vista, KS 66834

SW/4 of Section 10  
T14S, R08E  
Morris County

Neosho River Basin

Kansas Permit No.: A-NEMR-M003

This permit is being reissued for an existing facility with a maximum capacity of 40 head (56 animal units) of mature dairy cattle and 20 head (10 animal units) of dairy cattle 700 pounds or less, for a total of 66 animal units. There is no change in the permitted animal units from the previous permit cycle.

Kevin Grimm  
Pine Ridge, Inc.  
477 K 246  
Morrill, KS 66515

NE/4 of Section 03  
T02S, R15E  
Brown County

Missouri River Basin

Kansas Permit No.: A-MOBR-B008

This permit is being reissued for an existing facility with a maximum capacity of 800 head (400 animal units) of cattle 700 pounds or less and 500 head (200 animal units) of swine more than 55 pounds, for a total of 600 animal units of cattle and swine. There is no change in the permitted animal units from the previous permit cycle.

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**Public Notice No. KS-AG-R-17-025**

**Per Kansas Statutes Annotated 65-171d, the following Registration(s) have been received for proposed confined feeding facilities:**

<u><b>Name And Address of Registrant</b></u>	<u><b>Legal Description</b></u>	<u><b>County</b></u>
Andrew R. Evans Rocking E Cattle Co. 2288 O Road Seneca, KS 66538	NW/4 of Section 16 T02S, R13E	Nemaha

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**Public Notice No.: KS-Q-17-168/171**

**The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28 (b-g), and Federal Surface Water Criteria.**

<u><b>NAME AND ADDRESS OF APPLICANT</b></u>	<u><b>RECEIVING STREAM</b></u>	<u><b>TYPE OF DISCHARGE</b></u>
Goodyear Tire & Rubber Company PO Box 1069 Topeka, KS 66601	Kansas River via Soldier Creek	Process Wastewater

Kansas Permit No. I-KS72-PO02

Federal Permit No. KS0001643

Legal Description: NE¼, S13, T11S, R15E, Shawnee County, Kansas

Facility Location: 2000 Northwest US Highway 24, Topeka, Kansas 66618

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is engaged in the manufacture of truck, off-road and specialty tires under the federal effluent guidelines, 40 CFR Part 428 - Rubber Manufacturing Point Source Category, Subpart A - Tire and Inner Tube Plants Subcategory. An average wastewater flow of about 20,000 gallons per day, consisting of about 10,000 gpd domestic sewage and about 10,000 gpd effluent from the Industrial Process Wastewater Treatment Plant (IPWTP), is treated through a conventional activated sludge wastewater treatment plant (WWTP) that discharges through Outfall 001A1 prior to dilution with other flows. The conventional activated sludge WWTP includes aeration, clarification and aerobic sludge digestion. Prior to the conventional activated sludge WWTP, the site industrial wastewater sources are directed to the IPWTP. IPWTP processes consist of dissolved air flotation, chemical precipitation, clarification, carbon adsorption and filter press. The IPWTP effluent is directed to the domestic WWTP for further treatment and to serve as a WWTP carbon source for previously injected methanol. Hydraulic/cooling water, cooling tower blowdown, process wastewater and stormwater runoff from Plant I and power house boiler and compressed air blowdown after treatment through an oil/water separator, commingled with treated WWTP effluent from Outfall 001A1 domestic wastewater and Industrial Process Wastewater Treatment Plant (IPWTP) flows, are discharged through Outfall 001X1 to Soldier Creek. The average discharge flow is about 1.2 mgd. A two section oil/water separator and retention basin receives hydraulic/cooling water and process water from Plant II and sump wastewater throughout the site. About 2,000 gallons per day of sump wastewater is hauled by vacuum truck to the north section of the basin where the oil and wastewater is separated. The separated wastewater is returned by vacuum truck to the IPWTP and the separated oil is removed for disposal off-site. About 2,000 gallons per day of cooling and process wastewater from Tire Production Plant No. II is pumped into the south section of the retention basin which is maintained as non-discharging except potentially during extended precipitation events by returning the wastewater by vacuum truck to the IPWTP for treatment and discharge at Outfall 001X1. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, E. coli, oil and grease, total residual oxidant, and pH, as well as monitoring for flow, total Kjeldahl nitrogen, nitrate,

nitrite, total nitrogen, total phosphorus, total recoverable lead, total recoverable zinc, hardness, and whole effluent toxicity.

Johnson Controls, Inc  
3110 N Mead Street  
Wichita, KS 67219

Arkansas River via  
Chisholm Creek

Process  
Wastewater

Kansas Permit No. I-AR94-PO94

Federal Permit No. KS0101273

Legal Description: NW¼, S33, T26S, R1E, Sedgwick County

Facility Name: Johnson Controls Dewatering Project

The proposed action is to issue a new State/NPDES permit. The facility manufactures furnaces and air conditioners for residential and manufactured housing markets. This permit is for a temporary discharge for dewatering to allow for the installation of a foundation for a new large mechanical press. Up to 500 gpm of VOC contaminated groundwater is settled in a fractionation tank followed by two carbon filters in series, then discharged to an earthen drainage ditch. Discharge of cooling water is handled in a separate KWPC/NPDES permit. In addition, a groundwater remediation project is also permitted and operated at the site by a separate business entity. The proposed permit contains limits for trichloroethylene, cis 1-2 dichloroethylene, 1,1 dichloroethylene, and pH, as well as monitoring for flow, mercury, total phosphorus, and chloride.

Kansas Dept. of Wildlife, Parks & Tourism  
512 SE 25<sup>th</sup> Avenue  
Pratt, KS 67124

Republican River

Process Wastewater

Kansas Permit No. I-LR15-PO02

Federal Permit No. KS0083275

Legal Description: NW¼, S21, T11S, R5E, Geary County, Kansas

Facility Name: Milford Fish Hatchery

Facility Location: 3400 Hatchery Drive, Junction City, Kansas 66441

The proposed action is to modify an existing State/NPDES permit for an existing facility. This is a modification to the existing permit to reduce monitoring frequencies. This facility is a State fish hatchery where fish are reared for stocking in public and private waters of the State of Kansas. Domestic sewage from three residences, a visitor center, the fish hatchery, wastewater from the starter facilities, and solids flush from the raceways are directed to the 3-cell stabilization pond. The permit contains limits for biochemical oxygen demand, total suspended solids, and E. coli, as well as monitoring for flow, ammonia, pH, total phosphorus, and total recoverable copper.

Oneida, City of  
8205 5<sup>th</sup> St  
Oneida, KS 66522

South Fork Nemaha River via  
Harris Creek

Treated Domestic  
Wastewater

Kansas Permit No. M-MO15-OO01

Federal Permit No. KS0093467

Legal Description: NW¼, NW¼, SW¼, S23, T2S, R13E, Nemaha County, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The facility is a three cell wastewater stabilization lagoon system. The proposed permit contains limits for biochemical

oxygen demand, total suspended solids, and E. coli, as well as monitoring for pH, ammonia, total phosphorus, and total recoverable arsenic.

**Public Notice No. KS-NQ-17-022/024**

**The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-g).**

<b><u>NAME AND ADDRESS OF APPLICANT</u></b>	<b><u>LEGAL LOCATION</u></b>	<b><u>TYPE OF DISCHARGE</u></b>
Dodge City, City of PO Box 880 Dodge City, KS 67801-0880	E½, SW¼, and W¼, SE¼, S23, T28S, R25W, and N½, S26, T28S, R25W, Ford County, KS	Non-Overflowing

Kansas Permit No. M-UA11-NO01

Federal Permit No. KSJ000275

Facility Name: Dodge City Wastewater Treatment Facility

Facility Location: 100 McCaustland Road #1, Dodge City, KS 67801

This action consists of reissuing an existing Kansas Water Pollution Control Permit for an existing non-overflowing facility. The facility consists of three covered anaerobic lagoon cells, three complete mix aerated lagoon cells, four facultative storage lagoon cells, irrigation pump stations, and center pivot irrigation system.

Herndon, City of PO Box 98 Herndon, KS 67739	NW¼, SE¼, SE¼, S3, T2S, R31W, Rawlins County, KS	Non-Overflowing
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Kansas Permit No. M-UR10-NO01

Federal Tracking No. KSJ000655

Facility Name: Herndon Wastewater Treatment Facility

This action consists of reissuing an existing Kansas Water Pollution Control Permit for an existing non-overflowing facility. The facility consists of a three cell wastewater stabilization lagoon system. The proposed permit contains a schedule of compliance stating that the permittee shall hire a Kansas licensed engineering consultant to provide an operations and wastewater treatment evaluation, an engineering report and proposed schedule for improvements to bring the facility into consistent compliance with the requirements of this permit.

Simmons Subdivision 14494 SW Phyllis Road Rose Hill, KS 67133	NE¼, SW¼, NW¼, S18, T28S, R3E, Butler County, KS	Non-Overflowing
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Kansas Permit No. C-WA13-NO01

Federal Permit No. KSJ000528

Facility Name: Simmons Subdivision Wastewater Treatment Facility

This action consists of reissuing an existing Kansas Water Pollution Control Permit for an existing non-overflowing facility. The facility consists of a three cell wastewater stabilization lagoon system. The facility serves a small subdivision. The proposed permit contains a schedule of compliance stating that all wastewater shall be transferred to a regional facility when access becomes available. The schedule of compliance also states the permittee shall hire a consulting engineer and complete an engineering study

to determine the improvements needed to bring the facility into consistent compliance with the requirements of this permit.

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**Public Notice No. KS-EG-17-005**

**In accordance with K.A.R. 28-46-7 and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for the use of the well(s) described below within the State of Kansas.**

**NAME AND ADDRESS OF APPLICANT**

Mid-Continent Fractionation & Storage, LLC  
839 Kiowa Road  
McPherson, KS 67460

Facility Name: Williams (MCFS) Conway Underground East Facility

Facility Location: 839 Kiowa Road, McPherson, KS 67460

**Well & Permit Number**

**Location**

Well # K1/KS-01-113-003

Latitude: 38.362636

Longitude: -97.773478

Well # K2/KS-01-113-004

Latitude: 38.36351

Longitude: -97.774588

Facility Description: The proposed action is to reissue an existing Class I Injection Well permit. Injection in well KS-01-113-003 is made into the Arbuckle group through openhole from a depth of 3974 feet to 4380 feet and in well KS-01-113-004 from a depth of 3975 feet to 4371 feet. Disposal will be by means of gravity flow; wellhead pressure will not be allowed. The maximum rate of injection will be 1,000,000 gallons per day for well KS-01-113-003 and 450,000 gallons per day for well KS-01-113-004. The permittee is authorized to inject non-hazardous liquid waste from this facility consisting of waste brines from the underground hydrocarbon storage operation, storm-water captured within certain bermed areas of the facility, remediation brine, and cavern development activities. All construction, monitoring, and operation of these wells shall meet the requirements that apply to Class I Injection wells under the Kansas UIC Regulations, K.A.R. 28-46-1 through 28-46-44 and other requirements of KDHE.

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Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of Livestock Waste Management Section for agricultural related draft documents or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.

All comments regarding the draft documents or application notices received on or before **December 23, 2017**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-17-271/281, KS-AG-R-17-025, KS-Q-17-168/171, KS-NQ-17-022/024, KS-EG-17-005) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/ application. If response to any draft document / application indicates significant public interest, a public hearing may



be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents / application and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.